

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LARRY PAPI and DONNA JAMES,

Plaintiffs,

v.

SWC GROUP,

Defendant.

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Case No. _____

DEFENDANT SWC GROUP L.P.'S NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant SWC Group, L.P. (“SWC”), improperly named as SWC Group, hereby removes the subject action from the Court of Common Pleas of Lackawanna County, Pennsylvania, to the United States District Court for the Middle District of Pennsylvania, on the following grounds:

1. Plaintiffs Larry Papi and Donna James (“Plaintiffs”) instituted an action in the Court of Common Pleas of Lackawanna County, Pennsylvania on or about March 2, 2020.
2. SWC was served on March 10, 2020. Therefore, removal is timely.
3. Plaintiffs’ Complaint alleges violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 et seq. (“TCPA”).
4. The Court has original jurisdiction over this matter pursuant to 28 U.S.C. §1331, since the action – an alleged violation of the TCPA – arises under the laws of the United States.
5. Pursuant to 28 U.S.C. §1441, et seq., this cause may be removed from the Court of Common Pleas of Lackawanna County, Pennsylvania to the United States District Court for the Middle District of Pennsylvania.
6. Notice of this removal will promptly be filed with the Court of Common Pleas of Lackawanna County, Pennsylvania and will be served on all adverse parties.

7. Pursuant to 28 U.S.C. §1446(a), copies of all process, pleadings, orders and other papers filed in this action and obtained by Defendant are attached hereto and marked as composite **Exhibit A** and are incorporated herein by reference.

WHEREFORE, Defendant SWC Group, L.P. removes the subject action from the Court of Common Pleas of Lackawanna County, Pennsylvania to the United States District Court for the Middle District of Pennsylvania.

Respectfully Submitted,

Date: March 31, 2020

METZ LEWIS BRODMAN MUST
O'KEEFE LLC

By: /s/ Justin M. Tuskan

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Attorneys for Defendant SWC Group

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Removal has been served upon the following this 31st day of March, 2020 via Electronic Mail:

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Grantham, PA 17027
joesucec@gmail.com
Attorney for Plaintiffs

METZ LEWIS BRODMAN MUST
O'KEEFE LLC

By: /s/ Justin M. Tuskan
Justin M. Tuskan